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THE CASE



OF

ABRAHAM TOVEY,

*Store-Keeper and Master Gunner, for the Honourable Board of
His Majesty's Ordnance, in the Islands of SCILLY.*



IN August, 1728, Captain *Lloyd* directed him to do some small Repairs at his House, *Tovey* answer'd he could not, without an Order from the Board of Ordnance. The Captain still press'd and threaten'd him, but not prevailing, he at last promis'd to repay him the Expence if the Board would not. The Repairs were perform'd: The Board would not allow the Expence, but wrote to Captain *Lloyd*, in January, 1728-9, to defray the same himself, and about October, 1731, he paid the Charge of them, amounting to 3*l.* 17*s.* 8*d.* but threaten'd, he would not leave a Stone unturn'd to do *Tovey* all the Prejudice he could, as will appear by a Letter under his Hand, a Copy of which is hereunto annext. Hence proceeded the Captain's Rancour, and *Tovey's* Misery to this present Time.

Tovey, as Store-Keeper to the Board of Ordnance, is oblig'd by his Instructions, not to deliver any of his Majesty's Stores without an Order in Writing from the Governor, Lieutenant-Governor, or Commanding-Officer on the Spot. Captain *Lloyd* sends verbal Orders: *Tovey* desires written ones: The Captain calls him Rebellious, abuses him, gives him the Lie, calls him Rascal and Scoundrel, threatens to beat him, and treats him with the most opprobrious Language; and this he never fails to do, not only before his own Company, but even before Masters of Ships, Passengers, and the Inhabitants of the Islands.

When Captain *Lloyd* goes on board any Ship in the Pool, or in the Road, which is a Mile from the Garrison, or even in *Grimsby-Harbour*, which is a League, and is saluted by such Ship at his arrival, his constant Orders are, that the Garrison shall answer the Salute, and that the same shall be repeated in like manner at his coming away. And his Practice in this Particular is so strict, that upon an Omission in January, 1732-3, by the accidental Indisposition of the Gunner on Duty, tho' it was dark Night when the Captain return'd from on board a Ship in *Grimsby-Harbour*, he sent for *Tovey*, and having treated him with the severest Language, gave Orders for confining him; but *Tovey* being manifestly innocent, he was pleas'd to revoke them: And *Tovey* apprehends, that his frequent humble Applications to the Captain on this Head, to represent the great Consumption of his Majesty's Powder, and how extraordinary such a Practice is, since Governors themselves, when they resided here, never requir'd such an Honour at his Majesty's great Expence, may have been one of the principal Causes of the Captain's continual ill Treatment. And *Tovey* farther represents, that the Ordnance of a Garrison have been sometimes fired when the Vessels on board of which the Captain has saluted him only with small Arms.

A few Days after *Tovey's* Misfortune in the Displeasure of Captain *Lloyd*, upon the of the Gunner's not firing, as above mention'd, one *William Fulton*, Soldier of the

In *May*, 1733, his Majesty's Ship the *Portmahon*, riding in the Road at *Scilly*, Captain *Atkins*, Commander, and Lieutenant *Bellamy*, of the same Ship, desired *Tovey* to shew them *St. Mary's-Sound*, and to explain the several Marks and Directions for steering into it, in Case of Distress. *Tovey* being then on no Command or Duty, attended Captain *Atkins*, shew'd him the *Sound*, pointed out its Marks, and explain'd the Chart he had printed. But on his return with Captain *Atkins*, Captain *Lloyd* sent a Corporal for *Tovey*, and order'd him in Arrest, assigning it for a Reason, that he had been shewing *Strangers* the Nakedness of the Garrison.

In *August*, 1733, Captain *Lloyd* denied *Tovey* the Use of the Well belonging to the Garrison and adjoining to his House, and oblig'd his Family to fetch Water from another Well at a greater Distance, where the Water was stagnated and unfit for Use, tho' both these Wells are repair'd at the Expence of the Board of Ordnance.

Captain *Lloyd*, in *January*, 1732-3, gave *Tovey* Leave to inclose a small Piece of waste Ground before his House, which he accordingly, at a great Expence, made useful, and stock'd with Cabbages, Sallading, &c. for the Use of his Family, and in *September* last it was brought to Perfection, when the Captain order'd the Gates to be pull'd down, and himself assisted in destroying the Cabbages, &c. and he afterwards caused his Horses, and the Cattle which he grazes, to be turn'd into it.

The Gates were so contriv'd as not to incommode the Works, were made of Wood, and so wide, that Guns, Carriages, or any Thing might pass thro' them from the Battery to the Curtain.

But *Tovey*, to keep off the Cattle, that he might enjoy the Fruits of his Labour, gave out that he had poison'd the Cabbages and Herbage in his Garden, and to favour the Report, strew'd some *Chichester* Wheaten Flower upon them, hoping that the People would be induc'd thereby to keep their Cattle out of his Garden, and the Captain to direct the Gates to be put up again. *Tovey* humbly conceiv'd this was an innocent Stratagem, because he knew the Execution was so; and as he was conscious that no *real* Harm was design'd, he was not aware of exposing himself to the Captain's further Resentment, by so groundless an Alarm.

But the Captain pretended, that the Garrison was thereby in Danger, and without examining *Tovey* order'd him in Arrest, and altho' *Tovey* humbly sued to him to make a stricter Enquiry into the Affair, and begg'd of him to examine and swear Witnesses, that what was strew'd on the Cabbages, &c. was nothing but Wheaten Flower, yet the Captain refus'd to take their Depositions, and kept *Tovey* close confin'd for near five Months after. But the Captain took Affidavits from the Soldiers in his own behalf, and there is no Person who administers Oaths on any Occasion in the said Island but the Commanding-Officer.

During *Tovey's* long Confinement, which is humbly apprehended to have been contrary to the 38th Article of War, the Captain denied his Friends having Access to him, and altho' his Wife was lame and helpless, the Captain forced away their Maid Servant, for the want of which Assistance *Tovey's* Wife died soon after, and declar'd on her Death-Bed, that it was owing to the Captain's Cruelty in depriving her of proper Help. He would have hinder'd the Carpenter from bringing her Coffin into the Garrison; and confin'd the Gunner eight Days that guarded *Tovey* to his Wife's Funeral, for letting him stay on his return to pay the Burial Fees; and the Maid whom the Captain had forced away from *Tovey's* Service, venturing into the Garrison when her Mistress was a dying, and continuing there some few Days, the Captain beset *Tovey's* House with a Guard, took the Servant away by Force, and drumm'd her out of the Garrison.

During *Tovey's* Confinement he receiv'd frequent verbal Commands from the Captain, for the Delivery of Stores, the Captain declaring he would have them without an Order in Writing, and threaten'd to break open the Storehouse Door, and take out what he pleas'd: And when *Tovey* humbly represented to him, that the Board of Ordnance enjoin'd him to beg a written Order, in order to his passing his Accounts; the Captain reply'd, *That he did not value the Board's Orders, no not even those of the Duke of Argyll.* A manner of Speaking which the Captain affected to make use of on almost every Occasion.

January last *Tovey* sent his Son, a Boy about eleven Years old, to ask a Question of the Duty, in relation to his Majesty's Service, when the Captain meeting the Lad, Provocation, beat him with a large Cane in an unmerciful manner.

At the same time the Captain sending for two of the Gunners, ask'd one of them was capable of taking upon him the Master Gunner's Place, saying that "*Tovey* here, nor nothing he shall be here for if he is I, nor this Company shan't

But how vainly soever the Captain hop'd by unjust Means to put those Threats in execution; he at once set beyond all doubt the real Ends, he propos'd to serve by *Tovey's* long Imprisonment, and in aggravating to such a Height his Pretences for it: He had alone in View to promote his private Purposes, and having first with the greatest Cruelty, by confining *Tovey*, depriv'd him of the Power of attending his Duty in his Station of Collector of the Lights for the *Trinity-House*, he next endeavour'd to deprive him of that Employ, by representing to the Master and Brethren, his Incapacity to attend, and in order to introduce the Recommendation of his own Friend to succeed him, drew his Allegations from that very Confinement, which 'tis presum'd, his Severity and Designs had alone occasion'd, since he refus'd to examine into the Reality of *Tovey's* Offence, and to give *Tovey* the necessary Liberty of clearing himself, by the Testimony of those who assisted in strewing the Flower, and eat afterwards of the Cabbages. Captain *Lloyd's* Letter on this Occasion is humbly annext.

Tovey wishes it was his Fate to be tried in the Islands, where the Captain's Treatment of him and his Family has been remarkable for several Years, and where *Tovey* would have almost as many Evidences in his Favour as there are Inhabitants in the Islands, or even in the Garrison, notwithstanding the Captain's own Company is upon Duty there.

All this Series of Transactions *Tovey* represented from Time to Time to the Honourable Board of Ordnance, and desir'd they would send for him up, that he might lay his Complaint against Captain *Lloyd* before the proper Judge; and he is inform'd, that his Grace the Duke of *Argyll*, and the Board desir'd of the Lieutenant-Governor Major *Bennett*, that he might be sent to Town for that Purpose: However, the Captain has turn'd the Tables upon him, and exhibited Articles against him; Articles drawn up in such general Terms that no particular Defence can be made; no Time is mention'd when the Facts were committed, or Words spoke: All which is most humbly submitted.

Abraham Tovey.

To Mr. *Tovey*.

S I R,

I Was Yesterday with Mr. Wormby, who seem'd to say as much as that you was inclinable to do that which would prevent my making any Complaint against you.

If you will come to my Lodgings any time Tomorrow before 11 o' Clock, or Tuesday that time, you shall be convinc'd that I had rather do a Service than Prejudice.

But must be so plain to say, if you persist in your ill-natur'd Way, I will, contrary to my Inclination, leave no Stone unturn'd to do you all the Prejudice that lies in the Power of

Sunday, 1 o' Clock.

Your Humble Servant,

Receiv'd by a Porter, October 31, 1731.

W. Lloyd.

To John Whormby, Esq; at the Custom-House, London.

S I R,

Scilly, Sept. 13, 1733.

COMPLAINT being made to me by some of the Inhabitants, that Mr. Abraham *Tovey* had thrown Poison about the Garrison, I was oblig'd to confine him for the same, which I think proper to acquaint you, least the *Trinity-House* might suffer in the Collection of your Lights: And if you would give me Leave of recommending a proper Person for the Collecting the same here, it should be Mr. Richard Penrose, the Collector's Son, who is oblig'd to go on board all Vessels, and what Security you desire shall be duly given; and you may depend on all the Assistance I can give for the good of the *Trinity-House*; and you will very much oblige,

S I R,

Your most humble Servant,

W. Lloyd.

THE
C A S E

OF

ABRAHAM TOVEY,

*Store-Keeper and Master Gunner,
for the Honourable Board of His
Majesty's Ordnance, in the Islands
of SICILY.*

